

REMARKS

This application has been reviewed in light of the Office Action dated December 12, 2007. Claims 1-39 are pending in the application. In the Office Action, the Examiner sets forth a restriction requirement to all the pending claims directed to one of the following groups:

Group I, claims 1-7, is drawn to an aquaculture apparatus comprising an enclosure associated with a photosynthetic culture tank and enclosing a gas above contents of the photosynthetic culture tank; and a sensor for sensing a level of at least one component of the gas.

Group II, claim 8, is drawn to an aquaculture apparatus comprising a carbon dioxide stripper associated with a production culture tank and coupled to a photosynthetic culture tank to supply carbon dioxide stripped from water in the production culture tank to water in the photosynthetic culture tank.

Group III, claims 9-12, is drawn to an aquaculture apparatus comprising a trigger signal generator associated with at least one of a photosynthetic culture tank and a production culture tank; and a water transfer device to selectively enable transfer of water between the production culture tank and the photosynthetic culture tank upon receipt of a trigger signal from the trigger signal generator.

Group IV, claims 13-17, is drawn to a method of aquaculture comprising growing a photosynthetic first species in a photosynthetic culture tank; providing the first species to a second species in a food production culture tank that eats the first species; providing the second species to a fish in a production culture tank; harvesting the fish; and providing a waste product to a scavenging species in a scavenging species tank.

Group V, claims 18-19, is drawn to a method of producing caviar comprising growing a photosynthetic first species in a photosynthetic culture tank; enclosing a gas above water in the photosynthetic culture tank; monitoring a level of gas in the water in the photosynthetic culture tank by the use of a sensor sensing the gas above the water in the photosynthetic culture tank; providing the first species to a second species in a food production culture tank that eats the first species; providing the second species to a fish in a production culture tank; and harvesting caviar from the fish.

Group VI, claim 20, is drawn to a method of producing caviar comprising growing a photosynthetic first species in a photosynthetic culture tank; providing the first species to a second species in a food production culture tank that eats the first species; providing the second species to a fish in a production culture tank; stripping carbon dioxide from the water in the production culture tank and supplying the carbon dioxide to water in the photosynthetic culture tank; and harvesting caviar from the fish.

Group VII, claims 21-37, is drawn to a method of aquaculture comprising growing a photosynthetic first species in a first tank, water in the first tank having first water chemistry; providing the first species to a second species in a second tank that eats the first species; water in the second tank having a second water chemistry different from the first water chemistry; and providing the second species to a fish in a third tank.

Group VIII, claims 38-39, is drawn to a method of aquaculture comprising growing a photosynthetic first species in a first tank; providing the first species to a second species in a second tank that eats the first species; processing the second species into pellets; and providing the pellets to a fish in a third tank.

In response thereto, Applicants elect, without traverse, Group VII. Applicant specifically reserves the right to present claims directed to the subject matter of Group I-VI and Group VIII in subsequent divisional and/or continuing applications.

Applicant submits that elected independent claim 21 is generic to at least dependent claims 14-17, 19, 22-37 and 39.

In view of the foregoing, it is respectfully submitted that the claims remaining in the application are believed to be in condition for allowance and patentably distinguish over the art of record. An early notice thereof is earnestly solicited.

If the Examiner should have any questions concerning this communication or feels that an interview would be helpful, the Examiner is requested to call the Applicants' undersigned attorney.

Please charge any deficiency as well as any other fees that may become due at any time during the pendency of this application, or credit any over payment of such fees to deposit account no. 50-0369. Also, in the event that any extensions of time for responding are required for the pending application, please treat this paper as a petition to extend the time as required and charge deposit account no. 50-0369 therefor.

Respectfully submitted,

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